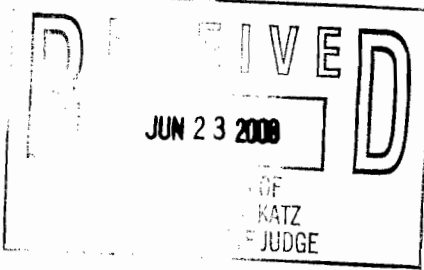
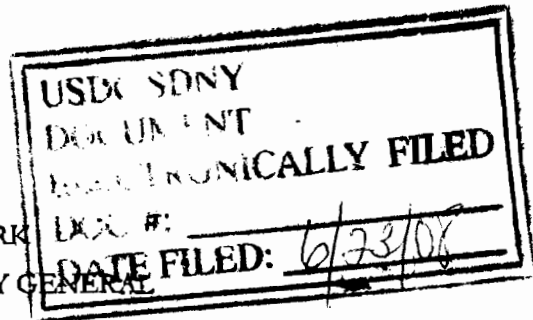


20 P. 02



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
Attorney General

June 23, 2008

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

Via Fax (212)805-7932
Hon. Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Land v Kaufman, et. al.
07CV8070(GEL)(THK)
Pro Se

Dear Judge Katz:

This letter is written on behalf of defendants, New York State Corrections Officers David Kaufman and Michael J. Miller, employees of the New York State Department of Correctional Services ("DOCS"), respectfully to request an enlargement of the discovery cutoff date from July 10, 2008 until July 30, 2008. No previous requests have been made for such an extension. The remaining discovery item is for defendants to conduct plaintiff's deposition at a correctional facility near New York City.

The additional time is being requested because of a current June 30th deadline for submission of pretrial documents, including a summary judgment with exhibits in Lora v Perez, 05CV2849 (RMB). We are concerned that a requested an extension of the deadline in Lora may impede the ability to complete plaintiff's deposition by July 10th. I will be on vacation from July 11th until July 21st and can complete plaintiff's deposition expeditiously upon my return. I did not obtain plaintiff's consent prior to making this application because he is incarcerated.

MEMO ENDORSED

Respectfully submitted,

Donald Nowve
Assistant Attorney General
(212)416-8227

c: Ricky Land
Plaintiff pro se
DIN # 01A4403
Southport Correctional Facility
236 Institution Road, P.O. Box 2000
Pine City, New York 14871-2000

The discovery deadline is extended to July 30, 2008.
SO ORDERED

THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE